



Indiana Judicial Nominating Commission
30 South Meridian Street
Suite 500
Indianapolis, IN 46204
(317) 232-4706

APPLICATION
FOR THE
INDIANA SUPREME COURT

(SEE INSTRUCTIONS)

Deadline – Wednesday, June 30, 2010

I. Provide your:

A. Full legal name and any former names. Brent Ellis Steele

B. Current home and office addresses, including email addresses and telephone numbers.

812-279-3513 (office)

C. Date and place of birth.

08/25/1947; Indianapolis, IN

D. Complete a State Police release form printed on green paper. Include the release only with the original application and not with the copies.

II. Attach a recent photograph of you to the front of the original application and to each copy of your application.

III. A. State in what county you currently reside and since what date.

Lawrence County since May, 1948.

B. List all previous counties of residence, with dates.

I resided in Marion County while attending law school in 1969 – 1972.

C. When were you admitted to the Indiana Bar?

September 26, 1972

D. Are you currently on active status?

Yes

E. What is your attorney number?

689-47

- IV. A. List below all colleges and universities you attended other than law schools. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree or Certificate</u>
Indiana University School of Education	09/1965-06/1969	BS

- B. List below all law schools and post-J.D. programs attended. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree and Class Rank</u>
Indiana University School of Law at Indianapolis	1969 – 1972	JD

- C. Describe any academic honors, awards, and scholarships you received and when.

None

- V. A. Provide your employment history since graduation from college, including titles or positions, locations, and dates.

While I was enrolled in law school, I taught Fifth Grade in the Indianapolis Public School system at School 94, known as the George Buck Elementary School, for school years 1969-1970 and 1970-1971. During this same period of time, I also taught summer school for Operation SMART, a federally-funded program for children with high IQs from disadvantaged inner city environments.

I began the practice of law with the firm of Steele, Steele & Steele after graduation from law school. In 1992, the firm became Steele, Steele, McSoley & McSoley. In 2001, the firm became Steele & Steele, LLC. My brother, Byron W. Steele, is my law partner.

I was a member of the Board of Directors of the First National Bank of Mitchell and served as the bank attorney from 1972 until the bank sold in 1998.

B. If applicable, describe the nature and extent of your practice of law, present and former, and provide the names of your partners, associates, office mates, and employers.

When I started practicing law, the firm consisted of my father, Ruel W. Steele, and my brother, Byron W. Steele. I became a full partner after graduating from law school, and the firm name was changed to Steele, Steele & Steele. When my nephew, Patrick S. McSoley, graduated from law school, he came to work at the firm as an associate. Later, my sister, Darlene McSoley, took a sabbatical from Indiana University, went to law school and upon graduation, joined the firm as an associate. Upon my father's death in 1992, the McSoleys were made full partners in the firm, thus the name change. My sister and nephew left the firm due to other interests, at which time the firm became Steele & Steele, LLC. Like many young lawyers, I did a lot of criminal work and became a public defender for approximately two years. I also became attorney for a local bank in 1972, examining real estate abstracts, which naturally led to handling many quiet title actions and cases involving fence line disputes.

I also served on the Board of Directors of First National Bank of Mitchell from 1972 to 1998, when the bank sold. As bank attorney and board member, I had to keep current on all national banking laws and address any issues raised by federal bank exams.

I had a very active family law practice, including guardianships, estate, adoptions, personal injury, incorporations and partnerships and served as local counsel in the prosecution of land condemnation cases or in the defense of same when there was considerable highway construction through our area. As time went on and personal injury advertisement became acceptable, I saw my personal injury practice decline. I discontinued my criminal defense practice when I was elected to the legislature in 1994. My brother, , was on the Board of Directors of the Bedford National Bank, and the two of us examined literally thousands of abstracts of title. When the

big banks began buying the small banks and lenders began relying on title insurance instead of abstract continuations and opinions, my brother and I became licensed title insurance agents with National Attorney Title Assurance Fund and formed Stone City Title Company. Our company has averaged between \$3 and \$4 million in title insurance sales per year, and performs insured closings. I continue to handle an extensive amount of marriage dissolutions, quiet title, probate and corporation or other business entity work. I also practice elder law and have written many wills in my 37 years of practice, which spawns the attendant powers of attorney, trusts and guardianships.

C. Describe the extent of your jury experience, if any.

When I was younger, as a public defender and as local counsel, I had many jury trials, but as files have been destroyed, documenting those trials at this time is not possible.

When change of venue was granted to Lawrence County, I occasionally served as local counsel for various plaintiffs and, on occasion, was hired by insurance companies to defend claims. Due to the passage of time, all files have been destroyed and it is not possible to be specific as to names and dates.

I was involved in approximately five jury trials as local counsel for the State of Indiana in land condemnation cases.

D. If applicable, describe the nature and extent of your judicial experience, including a description of your experience presiding over jury trials, if any.

I served as Judge Pro Tem in Lawrence County on numerous occasions for Judge Linda Chezem, Judge Don Erdmann, Judge William Sleva, Judge Robert Skinner, Judge Wayne Baker and Judge Richard McIntyre. Once elected to the House of Representatives, I could not take the oath of office as pro tem and have not served as such since then. On no occasion when I served as pro tem were any jury trials scheduled.

VI. A. If applicable, list by caption, case number, and filing date up to five of your trial or appellate briefs and/or written judicial opinions.

Indiana Court of Appeals 47A01-9207-CV-00224
Indiana Supreme Court 47S01-9310-CV-1137
Boyce Brown Womack v. Anna Womack

This was an appeal from a dissolution of marriage order from the Lawrence Superior Court. I represented Anna Womack. The issue litigated was whether the wife would retain title to a house and real estate deeded to her by her husband as a gift. The husband tried to rescind the gift upon dissolution. It was my opinion the common law presumption

of undue influence by the recipient of a gift from a spouse was wrong in this day and age. The Court of Appeals affirmed the trial court's decision.

Husband filed a petition to transfer to the Indiana Supreme Court, which also affirmed the trial court. This was a case of first impression and changed the law in Indiana regarding gifts between spouses.

Indiana Court of Appeals 47A04-8803-CV-102
Charles T. Wilson v. Kay L. Wilson

This was an appeal from the trial court's finding of contempt for failure to pay child support arrearage. I represented Kay Wilson, who won at the trial court level. Charles Wilson, among other things, several years after the dissolution was finalized, tried to establish that the child was not his. The Court of Appeals affirmed the trial court's decision.

Indiana Court of Appeals 07A01-0508-CV-00395
Rob Ferguson, DVM v. Sandra and Donald Stevens

This appeal was filed as the result of the Brown Circuit Court setting aside a default judgment against one of the defendants. The plaintiff's name had been forged by the defendants on a certificate of health for horses used by the defendants in their carriage ride business in the tourist town of Nashville, Indiana. These falsified documents certified the animals as healthy. Service of process was made in accordance with trial rules, first attempted by certified mail, next by sheriff, and finally by publication. The court granted a default judgment. Sandra Stevens filed a motion for relief from the judgment. It was my opinion that the plaintiff had done everything he was supposed to do to attempt service, after the defendants left the county and state, deliberately leaving no forwarding addresses because they knew they were in trouble with local creditors. Under those circumstances, I believed the default judgment should not have been set aside. The Court of Appeals affirmed the trial court's decision.

B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, by date, and by subject matter.

I want to be careful using the phrase "written" by me, because Legislative Services Agency drafts our legislation. There are several bills of which I am proud.

1. I was particularly taken by a statement made by the sentencing judge in the Shanda Sharer trial that he regretted he could not give more time to her murderers for the heinous damage to the victim from the torture she endured prior to her death. I drafted a bill which provided that the court could consider burning, mutilation or torture of the victim at the sentencing of a person convicted of murder as aggravating circumstances in determining whether the convicted person should receive a death sentence or a sentence

of life imprisonment without parole. **House Bill 1092; Public Law 228; Effective date: 7/1/96**

2. When a member of the House of Representatives, I thought it inappropriate that an insurance company could deny breast reconstructive surgery to a woman who survived cancer under the guise that it was “cosmetic surgery” and therefore not covered. I fought the insurance lobby and got this bill through. This law also provides that the results of genetic or other diagnostic testing cannot be used as a reason to deny coverage of insurance or denial of benefits, as to do otherwise would deter individuals from getting these tests, which often allow for early intervention. **House Bill 1684; Public Law 150; Effective date: 7/1/97**
 3. As a member of the Senate, I co-authored a bill of which I am particularly proud and feel may save lives. It was prompted by the Jessica Lunsford case in Florida. Jessica was abducted from her home at night and was taken literally across the street to a mobile home where she was raped, confined and buried alive in a garbage bag. The man who abducted her, John Couey, a registered sex offender, was not living at his registered address. The police went to the door of the home where she had been taken, were told the child was not there when, in fact, she was still alive. Had Couey been required to wear a GPS monitoring device, the police would have known there was trouble across the street and could have investigated further. Senate Bill 6 provides for lifetime parole when the person’s prison term is complete, and requires the Sentencing Policy Study Committee to study issues related to sex offenders, including GPS monitoring. **Senate Bill 6; Public Law 139; Effective date: 3/24/06**
 4. A bill I filed that received tremendous attention and in fact prompted e-mail and letters from as far away as France and Iraq was the funeral protection bill. This bill evolved in response to behavior by Westboro Baptist Church members protesting at military funerals. The bill makes disorderly conduct a felony if committed within 500 feet of a funeral. **Senate Bill 5; Public Law 3; Effective date: 3/2/06**
 5. Of lesser impact was a House Bill involving the responsibilities of an attorney-in-fact. This is the type of legislation I like to be involved with when fixing existing laws. The statutes providing for accounting under a power of attorney did not establish a time limit, nor consequences if the attorney-in-fact did not comply. House Bill 1165 provides that an attorney-in-fact must provide an accounting no later than 60 days after receipt of a written request, and gives the party demanding the accounting the right to initiate an action to compel the accounting. **House Bill 1165; Public Law 77; Effective date: 7/1/98**
- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

I submitted a viewpoint regarding Indiana's partition law to Res Gestae, which was published in October, 2009, Vol. 53, No. 3. "Antiquated Partition Law Needs Updating" concerned the outdated language in our statutes dealing with the method of sale of real estate in a partition action, and the need to modernize and update it to be fair to the parties involved.

D. Include with your application copies of any four of the written materials listed above in Section VI. A., B., and C.

E. Describe the nature and extent of any *pro bono* legal services you have contributed.

At the beginning of my career, I often handled cases free of charge. They included uncontested stepparent adoptions (in view of the fact that I thought it a better scenario when someone stepped up to raise a child), not-for-profit corporations, quiet title work and abstract title opinions when loans had been applied for. Back in the 70s and 80s, there were many times I took dissolution of marriage cases for women who were in bad home situations and couldn't afford to pay the fees. In those early years and until I became involved with the District 10 Pro Bono Project, we didn't document pro bono cases. I am satisfied that I did my fair share. During the past four years, at the encouragement of Lawrence Superior Court I Judge Michael Robbins, I have been active in the District 10 Pro Bono Project and documented hours annually. During that period of time, I have, among other matters:

1. handled an annulment for a woman who is mentally ill (2.75 hours);
2. assisted in obtaining reinstatement of railroad retirement benefits for a woman and her handicapped child (2.5 hours);
3. handled a post-dissolution case (from 1996) for a disabled woman whose ex-husband stopped her court-ordered health insurance and attempted to stop her maintenance. Mediation resulted in an increase in weekly maintenance and a lump sum payment from the ex-husband for past, unpaid medical bills (28.2 hours);
4. represented a young couple who had been duped into paying for "taxes" on their Australia lottery "winnings" with a bad check, and were subsequently sued by the bank in which the fake check had been deposited (5.2 hours); and
5. I am currently representing a Social Security Disability recipient in her defense of a suit for collection of a medical bill.

In 2008, my brother, _____, and I received a plaque from the District 10 Pro Bono Project recognizing us for doing the most pro bono work in Lawrence County during 2007. It is safe to say he and I each average about 25 hours a year in pro bono work.

F. Identify the five most significant legal matters entrusted to you whether as a judge or lawyer, and describe why you believe them to be so.

I am listing these in what I consider their order of importance.

1. If people are to be governed by law, they must feel the law is fair. Many people spend a lifetime with only one involvement in the justice system. That experience should be a positive one. At a minimum, they should feel they have been dealt with fairly. That is why it is important to me as a legislator and member of the Judiciary, Courts and Criminal Code Committees during the past 14 years to get the law right in the first place. When we draft new legislation, we need to create the best possible product, eliminating loopholes, all to the end that the law works and is enforceable. A law can always look good on the books, but it is another matter to make a law that also works well.
2. My father taught me that the practice of law was a profession, not just a job, and, as such, we had an obligation to do something important. It was our obligation to conduct ourselves, not only in our professional lives, but also in our private lives, in such a manner that people do not look at us or our profession with disdain.
3. Adoptions represent one of the few times in the practice of law when we can truly do something positive. It is our obligation to correctly and successfully complete the adoption process so that there is never a possibility that an adoptive couple might lose a child due to mistake after becoming emotionally bonded. It is my belief all adoption proceedings must be handled with utmost care.
4. The handling of probate matters is extremely important. To my knowledge, there has never been any defalcation by any personal representative of any estate in Lawrence County where an attorney has been involved. Attorneys representing estates must realize people who lose loved ones trust the estate will be handled in a manner that is above reproach, expediently and efficiently. My firm has handled thousands of estates. Our accountings are accurate and thorough. It is a matter of pride to me that judges in Lawrence County who have died asked their spouses to have our firm handle their estates.
5. Many lawyers my age have stopped practicing family law. I still do because I like it. When I was young, I was aggressive. I have learned through the years that when children are involved, the best thing we can do is try as much as possible to eliminate emotional scars. I pride myself in handling matters of custody and parenting time in a sensible manner, without fanning the emotional flames of animosity.

G. Provide the names, addresses, and telephone numbers of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Supreme Court.

James C. Tucker
Attorney at Law
188 South Court Street
Paoli, IN 47454
(812) 723-2313

James F. Gallagher
Juvenile Referee, Lawrence Circuit Court
916 15th Street
Bedford, IN 47421
(812) 275-4151

Hon. Michael A. Robbins
Judge, Lawrence Superior Court I
Courthouse Plaza-Lower Level
918 16th Street, Suite 300
Bedford, IN 47421
(812) 275-3124

VII. A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice.

1. House Bill No. 1776, which I co-sponsored in the Senate, amended and added to statutes regarding the seizure of weapons from dangerous individuals. I have always been a strong advocate of the Second Amendment and re-worked the bill extensively, putting in an entire procedure with plenty of due process to the citizen when it comes to disarming that citizen as the result of alleged instability. This bill provides for the seizure and retention of a firearm from a person who has a mental illness and who is the subject of documented evidence which would give rise to belief that the person has a propensity for violent conduct. This bill came on the heels of the death of Indianapolis Police Department Officer Timothy "Jake" Laird, a respected and well-liked professional, who was killed on August 18, 2004, when he and other officers responded to numerous 911 calls from neighbors reporting gunfire on the south side of Indianapolis. Several officers were wounded. The shooter suffered from schizophrenia, had not taken his medication and had been combative with paramedics in a previous incident when he was placed in immediate detention and a large quantity of weapons and ammunition were confiscated from him. In the absence of legal authority to prevent it, the weapons were returned to him. This action indirectly resulted in Officer Laird's death. In August, 2007, the U.S. Department of Justice designated this bill to receive the Weed & Seed Sloan Award of Valor and as a model to be used by other states.
2. I was appointed and served on the Governor's task force for the study of fairness of the death penalty and review of Criminal Rule 24. The report of this Commission is still referred to.
3. In the Senate, I was appointed Chairman of the Conference Committee to handle the bill dealing with pandemic outbreak and quarantine law. I was deeply involved and

re-worked the bill to provide protection for minor children who might be subjected to quarantine and to allow parents to enter the quarantine site. I provided immunity to drug companies that might have to prepare experimental vaccines. I also provided several aspects for due process not only for a quarantined individual who might desire to remain in his home, but also an entire procedure for confiscation and destruction of property that might be contaminated, such as homes or cars, similar to eminent domain laws. This bill was considered unique enough that the U.S. Department of Justice invited me to speak at a symposium in Chicago attended by the heads of departments of health from all 50 states. It is my belief that many states have patterned their quarantine laws to our law.

4. I was awarded the Legislator of the Year Award by the Indiana Trial Lawyers Association in 1996.
5. I was awarded the Defender of Freedom Award by the National Rifle Association for protection of the Second Amendment in 1996.
6. I am a BILLD Fellow, having completed the Bowhay Institute for Legislative Leadership Development at LaFollette Institute of Public Affairs at the University of Wisconsin-Madison in 1999.
7. I was awarded the Indiana Trial Lawyers Association Hoosier Freedom Award in 2002.
8. I was awarded the American Legion of Indiana Distinguished Public Service Award in 2006 for my funeral protection bill.

B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues.

Over the past 12 years, I have been involved in countless political issues. Among them:

1. Senate Bill 5 (Public Law 3-2006). This law evolved in response to behavior by the Westboro Baptist Church members protesting at military funerals. It is now a Class D felony if disorderly conduct is committed within 500 feet of the location where a funeral, burial, memorial service, funeral procession or viewing is taking place.
2. Senate Bill 6 (Public Law 139-2006). I co-authored this bill, prompted by the Jessica Lunsford case in Florida. Jessica had been abducted from her home at night and was taken literally across the street to a mobile home where she was raped, confined and buried alive in a garbage bag. The man who abducted her, John Couey, a registered sex offender, was not living at his registered address. This law provides that a sexually violent predator who commits an offense must be placed on lifetime parole when imprisonment is completed. It also provides that a sexually violent predator placed on lifetime parole wear a GPS monitoring device.
3. House Bill 1684 (Public Law 150-1997). When I was a member of the House of Representatives, I thought it inappropriate that an insurance company could deny breast reconstructive surgery to a woman who survived cancer under the guise that it was "cosmetic surgery." This involved a successful battle against the insurance

lobby. This law also provides that the results of genetic or other diagnostic testing cannot be used as a reason to deny coverage of insurance or benefits, as doing so might deter individuals from getting these tests which often allow for early intervention.

4. While a member of the House of Representatives, I moved up through leadership, serving as Assistant Whip, then Whip to the Republican minority. In the Senate, I have served on Senate Pro Tem David Long's leadership team. I am currently Assistant Majority Leader.
5. I gained some notoriety from being the Republican "hold out," refusing to vote for the Tort Reform Act in 1995, despite strong pressure from the Speaker of the House and others to switch votes.

C. List any memberships and offices you have held in civic or charitable organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

1. For over 20 years, I have been an active member of the Bedford Lions Club. The club conducts pancake festival fund raisers every year. Our primary goal is any good works involving vision, but we also provide money for local scholarships, build wheelchair ramps for the elderly and disabled and donate to the local Boys' Club and Girls' Club, among other programs.
2. I am CEO and Chairman of the Board of Directors of Christ Reaching Asia Mission Worldwide, Inc. (CRAM). I have been affiliated with this not-for-profit corporation for ten years. CRAM is solely funded by private donations through churches and individuals. Its primary purpose is to spread the gospel by way of good works in North Korea and China. The corporation has a monthly contribution income of about \$80,000, has built a 200-bed orphanage in North Korea and a larger orphanage in China, has a soy milk dairy, bakery, barbershop, an extensive language, computer and special education school, 100 bed dormitories and a farm with approximately 400 acres. We have just completed a day care center, kindergarten and three medical clinics. We feed over 7,500 kids a day. Our school in China caters only to the physically and mentally disabled. The orphanage in North Korea is for any child. Our clinics provide medical care to children and the surrounding community. We have performed over 14 open heart surgeries and have not lost a patient. Having served on the First National Bank of Mitchell Board of Directors for close to 30 years, experience taught me the importance of making sure this not-for-profit organization went through the same procedures with internal and external audits. Our financial records as well as Board meetings are made open to the public, and every contributor is given a copy of the financial statements and audits. We are certified by the Evangelical Council for Financial Accountability (ECFA). They have the same strict accounting standards I had already implemented. I do not

allow people to work for the organization unless their time is volunteered, with the exception of secretarial staff. I mention this because caring and arranging for the adoption of physically disabled and mentally handicapped children who would otherwise be castaways is a social issue, even though it is not a part of our immediate society. This corporation's work has been an important endeavor to me.

3. I am a former Boy Scout of American District Council member and Den Leader. With four sons, I was quite active with the Boy Scouts for at least 12 years.
4. I am President of the Dive Cemetery Association, a not-for-profit organization, providing not only pauper burials, but also low-income, \$75 lots. I am active in fund raising for the organization. The cemetery is approximately four acres, which I also mow.
5. I am a member of the Free and Accepted Masons, Lodge #14. The Masons constantly raise money for various charitable purposes, including the Shriners Hospital Burn Center.
6. I served on the Salvation Army Advisory Board from 1972 to 1992.
7. I was a member of the Lawrence County Sheriff's Merit Board from 1976 to 1994.
8. Past President, Bedford City Plan Commission
9. Member, Bedford Board of Zoning Appeals from 1974-1989

D. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

1. Member and past President of the Lawrence County Bar Association
2. Member of Indiana Trial Lawyers Association (held no office)

E. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

1. Member, Free & Accepted Masons, Lodge #14. While it is a Masonic lodge, we raise money for scholarships. I am a member of the Scottish Rite, Indianapolis Valley and the Murat Temple, Indianapolis.
2. Member, BOP Elks
3. Member, Bedford Lion's Club

The Masons are restricted to men, but the organization has a division for women, the Eastern Star.

F. Indicate your experience teaching law, and provide the dates, names of institutions or programs, and a description of the subject matter taught.

I presented a program on Estate Planning at an ICLEF seminar.

G. Describe your hobbies and other leisure activities.

For the most part, my hobbies have been tailored to activities my sons became interested in as they grew, including scuba diving, hunting, competitive shooting (trap and skeet), golf and restoration of old cars.

VIII. A. Provide names, addresses, and telephone numbers of three professional references other than those listed in Section VI. G.

Jack Kenworthy, President
Bedford Federal Savings Bank
1030 15th Street
Bedford, IN 47421
(812) 27505907

Larry G. Sipes
2703 Meridian Road
Mitchell, IN 47446
(812) 849-4831

John D. Ulmer
130 N. Main Street
Goshen, IN 46526-3207
(574) 533-5884

B. Provide names, addresses, and telephone numbers of three personal references other than those listed in VI. G.

Rev. Johnny Johnson
920 Peerless Road
Bedford, IN 47421
(812) 279-1585

Gary Craig
664 Broomsage Road
P.O. Box 563
Bedford, IN 47421
(812) 279-0849

John T. Schreiber
1485 W. Lake Road West
Scottsburg, IN 47170
(812) 752-2630

C. List any lawsuits or legal proceedings in any jurisdiction, including bankruptcies and dissolutions, to which you have been a party. Provide dates, case numbers, names of other parties, and, if needed, a brief explanation.

Bank One, Bloomington, NA v. Richard E. Smith and Linda S. Smith, Lawrence Circuit Court Cause No. 47C01-9409-CP-680. As odd as it sounds, I was sued for malpractice by a woman I never represented. I represented Richard Smith in a divorce against Linda Smith. Richard had hired an attorney in New Albany to file for bankruptcy. While the divorce was pending, Richard died of a heart attack. After his death, Linda was sued in a mortgage foreclosure action. She was angry and named me as a third party defendant, stating I committed malpractice because I advised her husband to file bankruptcy, which I had not. Even if I had, she was not my client and there was no privity of contract. I turned the matter over to my insurance carrier. A pre-trial conference held August 2, 1995, resulted in dismissal for failure to state a claim upon which relief could be granted.

Rebecca Reagan, et al. v. Patricia Baldwin, et al., Hendricks Circuit Court Cause No. 32C01-9806-CP-239. When a member of the House of Representatives I agreed to be a plaintiff in this case to test the constitutionality of passenger restraint enforcement laws.

D. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

I have never been arrested or cited for any such violation of the law. When my father-in-law, _____, died in 1980, he was the owner of Jack's Lounge, a bar and restaurant in Mitchell, Indiana. My brother-in-law, _____, who inherited the business, was a minor at the time and couldn't hold a permit. In handling the estate, I had to apply for a bartender's license so that someone over 21 was associated with the permit. Employees who had been there for years ran the business. _____ had a pending violation before the Indiana Alcohol and Tobacco Commission which I believe involved "tip" boards. As the licensee, I had to appear before the Commission. I did not know what had happened or what had been found at the time of the charge, but was asked how I would plead. I did not plead guilty to any charge, but stated if the excise officer had found a tip board, I could not dispute that and the bar would plead guilty. As I recall, I was informed that would be good enough, the bar was assessed a small fine, which I paid, and the case was closed.

E. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide dates.

I have never been a member of the Bar of any state other than Indiana.

F. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number if applicable, and describe the circumstances and the nature of the outcome or resolution.

I have never been disciplined or cautioned, formally or informally.

G. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

All federal, state and local tax returns have been filed and all payments are current.

IX. A. Attach a recent statement from your physician describing your general physical condition.

B. Within the past three years, have you been diagnosed or treated for an emotional or mental condition or illness, including any condition that involves treatment for drug or alcohol use? If so, provide the dates of assessment and/or treatment and the names and addresses of your doctors or other treatment providers.

C. Are you able to perform the essential functions of Justice on the Indiana Supreme Court, with or without accommodation?

Yes.

June 29, 2010
DATE



APPLICANT'S SIGNATURE

Brent E. Steele
PRINTED NAME

WAIVER AND STATEMENT OF CONSENT

The undersigned applicant authorizes the release to the Indiana Judicial Nominating Commission or its staff or agents any records, reports, and documents, whether or not otherwise confidential, which may be requested by the Commission in the performance of its evaluations of candidates pursuant to I.C. § 33-27-3-2. The scope of this authorization extends to, but is not necessarily limited to, requests from the Commission for Federal, State or local tax records, criminal and driving histories from any jurisdiction, attorney and judicial disciplinary records from any jurisdiction, whether pending or closed, and credit reports and histories. The undersigned releases and discharges the Judicial Nominating Commission, its individual members, its employees, agents and representatives, the Indiana State Police, the Indiana Department of Revenue, the Indiana Supreme Court Disciplinary Commission and any other agency or person or their agents or representatives providing information to the Commission from any and all liability arising from the furnishing and use of information concerning the undersigned applicant.

The undersigned agrees and understands that the Indiana Judicial Nominating Commission or its members, agents, or employees, may interview or otherwise consult with members of the legal, judicial, and general community concerning the professional qualifications and the integrity of the applicant, that the name of the applicant will be released by the Commission upon its receipt of the application and this waiver, and that if, pursuant to I.C. § 33-27-3-2(d), the applicant is given further consideration as a candidate after the Commission's initial screening of candidates, or if no such screening occurs and all applicants are considered, the application will be made public. This waiver does not constitute an election by the applicant pursuant to I.C. § 33-27-3-2(g)(3)(C) to authorize the release of investigatory records which are excepted from public inspection pursuant to I.C. § 33-27-3-2(g)(1) and (2).

The undersigned agrees to immediately supplement this application upon any event or circumstance substantially affecting any answer provided in the application.

The undersigned acknowledges having read the Instructions attached to the application.

The undersigned agrees to resign from office or membership in any political organization upon submission of this application.

The undersigned affirms that, if nominated by the Judicial Nominating Commission to the Governor and thereafter appointed to this judicial office, the candidate will accept the appointment.

June 29, 2010
DATE


APPLICANT'S SIGNATURE

Brent E. Steele
PRINTED NAME